

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

THE UNIVERSITY OF THE ARTS, *et al.*,¹
Debtors.

Chapter 7

Case No. 24-12140 (BLS)

(Jointly Administered)

Related Docket No. 130

**ORDER (I) AUTHORIZING AND APPROVING THE REPOSITORY AGREEMENT
BY AND BETWEEN THE TRUSTEE AND MOORE COLLEGE OF ART
AND DESIGN AND (II) GRANTING RELATED RELIEF**

Upon the Motion (the “**Motion**”)² of Alfred T. Giuliano, the chapter 7 trustee (the “**Trustee**”) of the bankruptcy estates of the above-captioned debtors (collectively, the “**Debtors**”), pursuant to sections 105 and 363 of title 11 of the United States Code (the “**Bankruptcy Code**”), Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and Rule 6004-1 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware (the “**Local Rules**”) for entry of an order, *inter alia*, (i) authorizing and approving the Student Record Repository Agreement (the “**Agreement**”) by and between the Trustee and Moore College of Art and Design (“**Moore College**”), and (ii) granting related relief; and this Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this matter constitutes a core proceeding pursuant to 28 U.S.C. §§ 157(b)(2); and this Court having found that venue of these proceedings and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and no other or further notice hereof being necessary or required; and the Court having found that the

¹ The debtors in these cases, along with the last four digits of the federal tax identification number for each of the debtors, where applicable, are: The University of the Arts (9911); and U of Arts Finance (9911).

² Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the Motion.

Trustee has articulated good and sufficient reasons in support of the relief requested in the Motion regarding the transfer of academic records of former UArts' students, including without limitation, authorization and approval of the Agreement; and it appearing to the Court that, based upon the representations contained in the Motion, the issuance of this Order is in the best interest of the Estates and creditors; and after due deliberation and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. All objections to the Motion (and all reservations of rights included therein) are overruled to the extent they have not been withdrawn, waived or otherwise resolved.
3. The Agreement attached to the Motion as **Exhibit 1** is approved.
4. The Trustee is authorized to execute and deliver all instruments and documents and take such other action as may be necessary or appropriate to implement and effectuate the Agreement contemplated by this Order.
5. To the extent there is any inconsistency between the terms of this Order and the Agreement, the terms of this Order shall control.
6. Rule 6004(h) of the Bankruptcy Rules is hereby waived as it relates to the Agreement.
7. Upon transfer of the student records from the Estates to Moore, neither the Debtors, the Estates, the Trustee, nor the Trustee's representatives or counsel shall have any liability whatsoever to any party in connection with the student records.

8. This Court retains jurisdiction with respect to all matters, claims, rights or disputes arising from, based upon or related to this Order.

Dated: January 10th, 2025
Wilmington, Delaware



BRENDAN L. SHANNON
UNITED STATES BANKRUPTCY JUDGE